

A Regular Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, July 7, 2008 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, NY 10520.

The following officials were present:

Mayor Schmidt	Trustee Brennan
Acting Village Manager/Treasurer Zambrano	Trustee Gallelli
Village Attorney Staudt	Trustee Brennan
	Trustee Konig
	Trustee Olver

1. CALL TO ORDER:

Mayor Schmidt called the meeting to order at 8:15 p.m.

2. APPROVAL OF VOUCHERS:

Trustee Brennan made a motion to approve the vouchers as follows, subject to review by the Audit Committee. The motion was seconded by Trustee Konig and approved unanimously.

General Fund	\$91,461.09
Water Fund	\$329,000.02
Sewer Fund	\$413.57
Capital Accounts	\$27,755.17
Trust & Agency	\$9,107.40
Total	\$457,737.25

3. RESOLUTION TO ENDORSE THE US MAYORS CLIMATE PROTECTION AGREEMENT

Mayor Schmidt spoke with students Max Ambose and Alana Middleton, who sent a letter asking to have the Village sign the US Mayors' Climate Protection Agreement. This was done as part of a school project; the students explained more about their recycling and what they are doing at home; they are informing 1st and 2nd graders about recycling. Trustee Brennan asked if this was a group effort and are there other students in agreement. Max Ambose replied that about 21 kids joined the group. Trustee Gallelli asked what additional things they are going to do. They replied that they will continue writing letters, recycling more paper since they will be using more; it is nice to get answers to their letters and they will keep this group going.

On motion of TRUSTEE KONIG, second by TRUSTEE OLVER, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the US Conference of Mayors' Climate Protection Agreement is an agreement where supporting mayors pledge to reduce carbon dioxide emissions by 7 percent below 1990 levels by 2012; and

WHEREAS, under the agreement participating cities commit to take the following three actions:

- Strive to meet or beat the Kyoto Protocol targets in their own communities, through actions ranging from anti-sprawl land-use policies to urban forest restoration projects to public information campaigns;
- Urge their state governments, and the federal government, to enact policies and programs to meet or beat the greenhouse gas emission reduction target suggested for the United States in the Kyoto Protocol -- 7% reduction from 1990 levels by 2012; and
- Urge the U.S. Congress to pass the bipartisan greenhouse gas reduction legislation, which would establish a national emission trading system; and

WHEREAS, the Village of Croton on Hudson would like to join the 850 other cities and Villages who have entered into the agreement,

NOW, THEREFORE BE IT RESOLVED: that the Mayor is hereby authorized to sign the US Conference of Mayors Climate Protection Agreement on behalf of the Village of Croton on Hudson.

Trustee Gallelli stated that she is very much in support of signing this agreement and it is part of the educational component that people need to count on; students are getting more aware of environmental issues. Trustee Gallelli added that when they sign on, there are certain agreements that need to be completed such as an inventory at the local level of global warming emissions in village operations and in the community and a study of reduction targets and an action plan. She would like the Board to agree to meet in a work session to establish what actions must be taken; in particular a baseline of what the level of emissions are now; in addition to supporting this, she is asking the Board to work together to establish steps to implement an inventory. Trustee Brennan stated that of the 12 steps, we already do 6 or 7 of them; this will pick it up and move things a little farther now. Trustee Olver stated that moving to reduce the carbon footprint will incur an upfront investment of some things that perhaps get deferred in tough economic times; there will be substantial savings over the life of the new equipment. Trustee Konig stated that some money is in the budget for this type of project; students should keep coming back and the Board will report on what is being done. Mayor Schmidt thanked the students for coming and encouraging the Village to do this; he added that we have had energy audits in the past; it is a constant project that needs to be looked at; it is exciting to see young people involved in this; there are a lot of simple things that we can do such as eating more vegetarian meals which helps the environment in several ways.

Mayor Schmidt announced two appointments: for the ZBA, Allen MacDonald will be replacing Ruth Waitkins who has served more than 20 years on the ZBA and for the Planning Board; Mark Aarons will be replacing Devon Sharma.

4. CORRESPONDENCE:

Acting Village Manager Zambrano read the following correspondence (full text available at the Village Office):

- a) A letter from Thomas Taylor, National Multiple Sclerosis Society asking for use of the parking lot on Sunday, September 28, 2008 for their Bike MS Tappan Zee Bike Tour. Trustee Brennan made a motion to approve the request with the usual caveats; Trustee Gallelli seconded the motion; all in favor.
- b) A letter from the NYS Board of Real Property Services with the final State equalization rate of 3.18; last year's rate was 3.45% which represents a 7% decrease.
- c) A letter from Nancy Gold, Historic Hudson River Towns with a check for \$500.00 to be used for beautification of the downtown as part of the friendly "Flower Villages" competition.
- d) A letter from Jud Ramaker, Race Director, announcing the annual Harry Chapin Memorial Run Against Hunger will be held on Sunday, October 19, 2008, supplying the course they will follow and requesting Village support to host a safe and successful race.
- e) A memo from Fran Allen, WAC Chair regarding the Croton-Harmon Train Station Flood Mitigation Project and stating that the committee found the project consistent with Croton's LWRP subject to ten conditions which she listed. Mayor Schmidt stated that this is a very important project and the Board will discuss the material in a work session.

5. CITIZEN PARTICIPATION-Agenda Items

No participation

6. RESOLUTIONS:

- a) On motion of TRUSTEE GALLELI, seconded by TRUSTEE BRENNAN, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, The Chazen Companies has provided the Village with a proposal for additional water supply expansion of the Village well-field; and

WHEREAS, this proposal provides for four discrete tasks totaling an estimated project cost of \$123,700; and

WHEREAS, the Village Board of Trustees approved an amount of \$135,000 in the 2008-09 Capital Budget for this project,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to approve the proposal from the Chazen Companies for the water supply expansion of the Village well field,

AND BE IT FURTHER RESOLVED: that this amount of \$123,700 will be charged to a capital account within the Water Fund.

Discussion: Mayor Schmidt stated that this project is to develop a 5th well field; they are planning this for the future as a back up.

b) On motion of TRUSTEE BRENNAN, seconded by TRUSTEE KONIG, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, in the 2008-09 Capital Budget, the Village Board of Trustees approved funding for the Georgia Lane Stormwater Detention Pond; and

WHEREAS, Dvirka & Bartilucci has provided a proposal for the analysis of the Georgia Lane storm water management pond in the amount of \$14,000,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to approve the proposal from Dvirka & Bartilucci for the analysis of the Georgia Lane storm water management pond for the amount of \$14,000.

c) On motion of TRUSTEE KONIG, seconded by TRUSTEE GALLELLI, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, a technical corrections law has been drafted amending provisions in the Trees and Wetlands law in relation to the procedure for the revocation or suspension of permits,

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby calls for a public hearing at 8pm in the meeting room of the Stanley H. Kellerhouse Municipal Building on July 21, 2008 to consider Local Law Introductory No. 2 of 2008, a local law making technical corrections to the Village's Wetlands and Trees laws.

Discussion: Trustee Gallelli stated that the only thing changing is the wording for notification of permit holders.

d) On motion of TRUSTEE GALLELLI, seconded by TRUSTEE BRENNAN, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the Village has hired Frederick P. Clarke Associates and Wormser Kiely Galef & Jacobs to help with the revisions of the Village's environmental laws; and

WHEREAS, Chapter 195, Steep Slope Protection has been amended; and

WHEREAS, the Village Board has discussed these amendments in various staff meetings and work sessions,

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby calls for a Public Hearing at 8pm in the meeting room of the Stanley H. Kellerhouse Municipal Building on July 21, 2008 to consider Local Law Introductory No. 3 of 2008, amending Chapter 195 of the Village Code, Steep Slope Protection.

Discussion: Trustee Gallelli stated that in this case, it is a revocation of the existing steep slopes law and replacement a new steep slopes law.

e) On motion of TRUSTEE KONIG, seconded by TRUSTEE OLVER, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the Village Board of Trustees is considering allowing unleashed dogs access to a designated area within Black Rock Park on a trial basis; and

WHEREAS, access for dogs would be subject to specific rules and regulations defined by the Recreation & Parks Department; and

WHEREAS, allowing access within Black Rock Park would require a change to the Village Code; and

WHEREAS, Local Law Introductory No. 4 of 2008 has been drafted,

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees hereby calls for a public hearing at 8 PM in the meeting room of the Municipal Building on July 21, 2008 to consider Local Law Introductory No. 4 of 2008 amending Chapters 108 and 168 of the Village Code.

f) On motion of TRUSTEE BRENNAN, seconded by TRUSTEE KONIG, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the curbs for the islands at Benedict Boulevard need to be replaced; and

WHEREAS, Acocella Contracting has prepared a change order to the Wayne and Clinton Street Improvement Project; and

WHEREAS, the change order includes the installation of granite curb and removal of existing concrete curb totaling \$89,414,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to sign the change order with Acocella Contracting for the installation of granite curbing at the Benedict Blvd Islands for the amount of \$89,414,

AND BE IT FURTHER RESOLVED: that this amount should be charged to the Benedict Blvd Paving Project.

g) On motion of TRUSTEE GALLELLI, seconded by TRUSTEE KONIG, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the Village is interested in the development of the Harmon Commercial District; and

WHEREAS, the property at 44 Wayne Street has become available for purchase; and

WHEREAS, the Village Board of Trustees believes that this property will be important for municipal support of future commercial development of the area it is located in; and

WHEREAS, a Short Environmental Form has been prepared,

NOW, THEREFORE BE IT RESOLVED: that the Village shall purchase the real property known as 44 Wayne Street, Croton-on-Hudson, New York for the sum of \$375,000,

AND BE IT FURTHER RESOLVED: that based upon the Environmental Assessment Form, the Village Board of Trustees has determined that there will be no negative environmental impacts resulting from the Village's purchase of this property and issues a Negative Declaration,

AND BE IT FURTHER RESOLVED: that the acting Village Manager is authorized to take the appropriate steps and execute the necessary documents to consummate the purchase of the property.

Discussion: Village Attorney Staudt stated that this is an important property for use to support economic development in that area; the sale is subject to Village inspections which have been done and are satisfactory. Attorney Staudt added that this is a SEQRA event and the Village Engineer and he have prepared a Short Environmental Assessment Form; the resolution makes a Negative Declaration and it gives permission to enter into a formal written contract. Trustee Gallelli stated that this has been discussed extensively in executive session and the Board came to the consensus that this was a desirable parcel to own and is in support of this purchase. Mayor Schmidt added that the Village has looked at this piece of property for a long time and when it came on the market, wanted to move forward on it; it is a smart move to do. Trustee Olver stated that all clearly saw the advantage of acquiring this parcel; he is impressed how the entire board worked together as a unified board. Trustee Brennan added that they saw an opportunity that will greatly enhance the commercial businesses in the Village and the whole Board worked towards a consensus for the long range advantage to the Village.

h) Village Engineer's change orders:

1) On motion of TRUSTEE BRENNAN, seconded by TRUSTEE GALLELLI, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the Village Board has previously approved the contract with Acocella Contracting for the Wayne Street/Clinton Street CDBG improvement project; and

WHEREAS, additional work not included in the contract is required consisting of the installation of additional catch basins and storm drain pipe, replacement of cracked sections of existing sidewalk in front of the Harmon Firehouse, installation of 2" electrical conduit for future street lights on Clinton and Wayne streets, and installation of additional cobble stone curbing on Wayne Street; and

WHEREAS, the additional work has been reviewed by the Village Engineer and found to be necessary,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to sign Change Order No. 3 for the Wayne and Clinton Street Improvement Project dated June 10, 2008 in the amount of \$15,273.25.

2) On motion of TRUSTEE KONIG, seconded by TRUSTEE BRENNAN, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the Village Board has previously approved the contract with Bradhurst Site Construction for the Phase 2 portion of the Croton Landing/Riverwalk Improvement Project; and

WHEREAS, additional work not included in the contract is required consisting of the reinforcement of the existing stone shoreline protection, trucking of material from the DPW Yard on Municipal Place and additional item 4 material; and

WHEREAS, the additional work has been reviewed by the Village Engineer and Hahn Engineering and found to be necessary,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to sign Change Order No. 2 of the Croton Landing – Athletic Field (Phase 2) in the amount of \$35,158.75.

Discussion: Village Engineer O'Connor explained this additional work needs to be done to protect the shoreline which was eroding; additional material was needed; they will be doing it in the least expensive manner by bringing rock in as it becomes available and not paying for the rocks, only paying for the contractor's time to place the material along the shoreline.

3) On motion of TRUSTEE BRENNAN, seconded by TRUSTEE GALLELLI, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the Village Board has previously approved the contract with Bradhurst site construction for the Phase I portion of the Croton Landing/Riverwalk Improvement Project; and

WHEREAS, additional work not included in the contract is required consisting of the removal of storm debris; and

WHEREAS, the additional work has been reviewed by the Village Engineer and Hahn Engineering and found to be necessary; and

WHEREAS, the additional work is located in Phase 1 of the project and therefore will be charged to Westchester County,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to sign Change Order No. 2 of the Riverwalk (Phase I) in the amount of \$25,968.

7. CITIZEN PARTICIPATION – NON-AGENDA ITEMS:

Fran Allen commented on the WAC work that was done this past week regarding the improvement project in the parking lot; they had a meeting and a work session; she is very supportive of the project but came around to that position very slowly; this project can be successful and will improve the critical environmental area there which desperately needs to be protected; building and maintaining the gabion walls will be essential to the success of this project; it may require adding more fill at some point; good engineering will make a big difference; the WAC is looking to satisfy two Coastal Zone Management requirements- to last 30 years and the improvement of what is in the estuary; unfiltered material is going into the bay and it needs to be fixed; this is a critical area with a lot of regulations and this is the time to solve these environmental problems; the WAC has recommended 10 conditions for approval of the work, most of which relate to best management practices during construction.

Cornelia Cotton, Hessian Hills Road, had several items of concern including her feelings that the Village should have a Village clock and also a fountain; the lack of perspective in regarding to zoning brings her concern about the building of gigantic houses which are dwarfing other buildings, they destroy the consistency of neighborhoods; everyone should be more aware of history and the legacy of many areas; the Village will have to come to grips with historic preservation at some time. She is concerned about the dismal shape of Croton Point Ave. which is a gateway to the Village and the train station; there is litter, weeds and the appearance of that street is shameful. Mayor Schmidt replied that Croton Point Ave. is being cleaned once a week; her concern is being addressed; weeds are being taken care of even on the DOT property. Ms. Cotton stated that the street sweeper is very noisy and expensive and she doesn't know how much good it does in streets; a program to enlist the aid of senior citizens with brooms may be a nicer way of doing this and seniors can get tax credit. Mayor Schmidt replied that it is a State requirement to clean streets as part of the storm water management program; seniors cannot sweep the streets, but he can look for other jobs in the Village for seniors. Ms. Cotton stated that she wants to lodge a protest against the recent sting operation done against 14 stores in the Village; businesses and people were treated as if they were criminals; targeted stores will have to spend a lot of money to defend themselves and may get a bad reputation. Mayor Schmidt replied that this is an issue the Police Chief felt very strongly about doing; underage drinking and sale of tobacco needs to be taken care of. Trustee Brennan added that if a tragedy had happened, someone would be here finding out why the

police department didn't do more to stop it. Ms. Cotton replied that businesses should have been warned; they were tricked into this.

Shafie Celarier, 1 Nordica Drive, asked if Benedict Blvd. will be paved before the winter. Acting Village Manager Zambrano replied that they are anticipating having it done before Labor Day.

Fran Allen, Finney Farm, spoke to follow up on some things Cornelia Cotton brought up tonight. She agreed that some laws need to be changed; particularly the height of a house. She added that the Village should have laws that are simple enough so citizens can understand; such as how to measure the height of a house, the amount of fill that can be brought in; the laws need updating in a way that would make neighborhoods more compatible and predictable so one knows what can go on an empty lot.

Leo Wiegman, 100 Benedict Blvd., congratulated the Board in acquiring 44 Wayne St.; this has been on the wish list of the Village for more than a decade. He asked what the approximate size of the lot is and if it has a structure. The Board replied that there is a house and a pool and it is a little over 1/10th of an acre.

8. APPROVAL OF MINUTES:

Trustee Brennan made a motion to approve the minutes of the Regular Board Meeting held on June 16, 2008 as corrected. Trustee Konig seconded the motion. The Board voted unanimous approval.

Trustee Brennan made a motion to approve the minutes of the Executive Session held on June 16, 2008. Trustee Gallelli seconded the motion. The Board voted unanimous approval.

Trustee Brennan made a motion to approve the minutes of the Special Meeting held on June 23, 2008. Trustee Olver seconded the motion. The Board voted approval with Trustee Konig abstaining.

9. REPORTS:

Acting Village Manager Zambrano reminded citizens that water bills are due by July 15th and tax bills were due 6/30; there is now a 5% penalty; residents can contact the Manager's Office for the exact amount due.

Trustee Konig offered congratulations to the students who graduated a week to 10 days ago. Trustee Konig stated that she did not get any formal reports about Mayo's Landing over the weekend but it seems to be under control this year and it is very quiet; she saw no cars, so local residents must be using it. She also gave congratulations to the police who were on the alert. Trustee Konig added that some stirrings of new businesses in Harmon are going on; please keep an eye on it for the Fall. Mayor Schmidt added that he spoke to Chief Tramaglino and Mayo's Landing has been pretty quiet.

Trustee Olver stated that he hopes everyone took some time on the Fourth to remember those who sacrificed in order to make this country free; he saw a number of residents at Van Cortlandt Manor and hopes, in the future, to tie the Village celebration in conjunction with them. Trustee Olver stated that he agreed that Mayo's Landing seems to be quieter than in the past but has heard that there has been some damage to newly planted trees; he asked everyone in the community to please respect the work of fellow citizens. Regarding the Arboretum, he thanked colleagues in the Village for interceding with Hudson National; there still appears to be a problem with the water level; it will continue to be monitored and Hudson National has agreed in writing to abide by the terms of their agreement to provide water to that sensitive wetlands area. He added that next Sunday is the Annual Garden Tour in support of the Arboretum with a whole array of wonderful sites to visit. Trustee Olver reported that he has been working with the CAC and WAC; the CAC met last week and will be forwarding to the Board a number of ideas for consideration; they thought it would be useful to have a range of ideas; the WAC will be meeting in a work session; he added what an eye-opening experience it was for him to look at this project from the perspective of the parking lot and then from the perspective of marsh lands and bottom-dwelling creatures in that very sensitive area; he is very encouraged by the seriousness in which the committee took its work. Trustee Olver added that we are entering a new era in Croton; there is a silver lining to the gasoline crisis which offers everyone the incentive to shop locally; this comes just at the time that the Harmon Economic Development Committee will be reporting.

Trustee Gallelli reported that at the July 14th Village Board work session, the Harmon Commercial Development Committee will make their presentation of a culmination of consultant reports including the zoning report and the retail feasibility consultant report; they will make recommendations for future steps to be taken. Trustee Gallelli reported that there will be two seminars on Wednesday and Thursday in the Ossining Library from 9 am to noon presenting the outcomes of their comprehensive plan process; Wednesday morning is to discuss their waterfront revitalization area; Thursday's topic is economic redevelopment; there will be lots of speakers and a lot can be gained by attending. Trustee Gallelli asked the Board to make the Mayors' Climate Protection Plan an item on a future work session; she believes that one of the things that will allow them to make wise decisions in the future is to do an inventory. She stated that some people have raised the issue with her that during summer months, Senasqua Park closes at 10 pm and people almost get thrown out; perhaps it could be kept open for an additional hour or two since they already have a night watchman there. Acting Manager Zambrano reported that Chief Tramaglini believes it can be extended to stay open to 11 pm; Village Recreation Supervisor Susan Snyder said they already extend the time at movie nights; there may be a need to change signs or put decals out with the new hours; some Recreation Advisory Committee members did agree to it, but with reservations. Mayor Schmidt suggested looking at the parking regulations and he would like more information from the Recreation Advisory Board and the Police Chief.

Trustee Brennan reported that the Arboretum Garden Tour is on July 13th and he heard that Aaron Copeland's house is back on the list. He offered congratulations to all the graduates. He added that he is behind Chief Tramaglini 100%; the priority as adults is to make sure everyone is protected; he would rather have kids in the Village be safe and sound. Trustee Brennan reported that just a week ago he read that Briarcliff took Croton's lead and formed

their own Economic Development Committee because of empty stores in that community. Trustee Brennan added that he has always shopped locally; please visit the delis, restaurants, etc. and we should always shop locally.

Mayor Schmidt reported that fortunately and unfortunately the increased cost of gas will propel the country to do something about the price of gas; this is something everyone should be working on. He stated that the young people who came tonight with their idea is just a first step; the agreement is an attempt to meet quotas and agendas; it does not bind the Village, but all are committed to moving forward on this; calls have gone out to the NY Power authority who will do a free study. Mayor Schmidt added that the parking lot is an issue with a lot of confusion; improvements at the parking lot have already been done in an environmentally sensitive way; this project is an environmental project in itself and is improving conditions that need to be improved. He added that they will work with the WAC to move forward to make it the best it can be. Mayor Schmidt read aloud a letter that he received from Anthony Gagliotti regarding lowering the water at Croton Dam; he requested that a copy of this letter be forwarded to NYC DEP.

Trustee Brennan made a motion to adjourn. Trustee Olver seconded the motion; approved unanimously. The meeting was adjourned at 9:55 p.m.

Respectfully submitted,

Phyllis A. Bradbury

Phyllis A. Bradbury, Secretary

Village Clerk